


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT COOPERATION TREATY RECEIVING OFFICE



Applicant : Jose Luis Miranda Valencia, et al. :
Serial No. : 10/530,222 : Attn: Anita D. Johnson
Filed : 4 April 2005 : DO/EO/US

Int. Patent
Appln. No. : PCT/MX2002/000098 :
Int. Filing
Date : 16 October 2002 :

Title : GRANULATED FERTILISER COMPOSED
OF MICRONUTRIENTS AND CLAY

**DECLARATION OF MORTON J. ROSENBERG IN SUPPORT OF
REQUEST TO WITHDRAW NOTIFICATION OF DEFECTIVE
RESPONSE OFFICIAL ACTION DATED 20 APRIL 2006
AND FOR THE ISSUANCE OF A NEW OFFICIAL ACTION**

Mail Stop - NO FEE
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Morton J. Rosenberg, hereby declares as follows:

1. That I am a partner in the law firm of Rosenberg, Klein & Lee (RKL) having a business address at 3458 Ellicott Center Drive, Suite 101, Ellicott City, Maryland 21043;
2. That I am the attorney indicated in the above-referenced Patent Application and that all correspondence from the USPTO should be sent to the law firm of Rosenberg, Klein & Lee;

3. That on 4 April 2005 entry into the national stage was made based upon PCT Application No. PCT/MX2002/000098;

4. That an Office Action was mailed from the U.S. Patent and Trademark Office on 13 September 2005 which was a Notification of Missing Requirements requiring the translation of the Application into English;

5. That on 23 September 2005 the undersigned attorney made the Response to the Notification of Missing Requirements including what was believed to be a proper and correct translation;

6. That a Notification of Defective Response indicating a defect in the translation was mailed from the U.S. Patent and Trademark Office having a mailing date of 20 April 2006 with a one month time limitation to respond;

7. That the Official Action was received in the undersigned attorneys office on 24 May 2006;

8. That the undersigned attorney entered this receipt date as the mailing date into the undersigned attorney's docketing program but realized that there was no time to respond;

9. On the same day, namely 24 May 2006 the undersigned attorney corresponded with the Mexican attorney to inform them of the defective translation and request that the translation be corrected;

10. That the firm of Rosenberg, Klein & Lee has a docketing procedure to ensure that all actions are entered into the RKL docketing system promptly;

11. The first step in the docketing program is that when an Office Action is received, the Office Action is entered into a hard copy of a calendar;

12. Exhibit A is a photograph of a portion of the May 2005 hard docketing calendar showing that there is no entry made for 20 May 2006 for which any response associated with Docket Number MR3269-57 is made for any type of response;

13. The next step in the docketing procedure is that subsequent to the hard entry into the calendar, the Office Action (in all cases) is entered into a control computer program which lists the pertinent data associated with the Application;

14. That in this case since the due date was earlier than the action being received in the RKL office, I entered it as being mailed from the USPTO on 24 May 2006 with a showing of a due date of 20 May 2006;

15. Exhibit B and C are computer printouts of the computer screens for the Docket Number MR3269-57;

16. That the above constitutes the docketing procedure of any Office Actions for Applications;

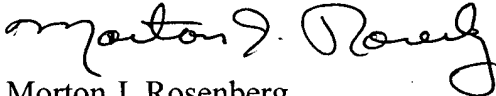
17. That the undersigned attorney has gone through the file of the Application and has only found the following papers:

- (a) a hard copy of the Patent Application as filed on 4 April 2006;
- (b) a copy of the Notice to File Missing Parts mailed from the Patent Office on 13 September 2005;
- (c) a Response to the Notice of Missing Requirements filed at the USPTO on 22 September 2005; and

(d) the Notice to File Defective Response mailed from theUSPTO
on 20 April 2006 and received in the RKL Office on 24 May 2006;

18. The Official Action dated 20 April 2006 was received in the Offices of
Rosenberg, Klein & Lee on 24 May 2006 with the reasons in the mail delay not being
known.

I, Morton J. Rosenberg hereby declare that all statements made herein of my
own knowledge are true and that all statements made on information and belief are
believed to be true; and further that the statements were made with the knowledge that
willful false statements and the like so made are punishable by fine or imprisonment,
or both, under Section 1001 of Title 18 of the United States Code and that such
willful false statements may jeopardize the validity of the Application or any Patent
issued thereon.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

Morton J. Rosenberg
Registration No. 26,049
Dated: 6/23/06

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Customer No. 04586

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PATENT DOCUMENT SCREEN DISPLAY

DOCUMENT #: 1

1. DOCKET #: MR3269-57	2. CLIENT DOCKET #: NONE
3. COUNTRY: US	4. RESPONSIBLE ATTORNEY: DK
5. TYPE: UTILITY PATENT APPLICATION	6. BUS. STATUS: SMALL ENTITY
7. TITLE: GRANULATED FERTILISER COMPOSED OF MICRONUTRIENTS AND CLAY	9. FILING DATE: 4 / 4 / 2005
8. SERIAL #: 10/530222	11. PRIORITY DATE: 10 / 16 / 2002
10. PARENT DOC. #: PCT/MX2002/000098	12. ACTIONS: SECOND PATENT OFFICE ACTION DUE FOR RESPONSE: 5 / 20 / 2006
13. APPEAL #: NONE	14. COURT DOCKET #: NONE
15. INTERFERENCE #: NONE	16. MAINTENANCE STATUS: NONE PAID
17. PATENT NUMBER: NONE	18. ISSUED: NOT APPLICABLE
19. NEXT MAINT. FEE: NOT APPLICABLE	20. EXPECTED EXP'N: 10 / 16 / 2022
21. INVENTORS: JOSE LUIS MIRANDA VALENCIA / GUSTAVO REBORA GONZALEZ	
22. APPLICANT: SAME	
23. ASSIGNEE: NONE	24. USPTO RECORDATION: NONE
25. STATUS: ABAN'D/EXTENSION PERIOD	26. GO TO NEXT DOCUMENT

*****MORE CHANGES TO THE SAME REFERENCE*****
DO YOU HAVE ANY MORE CHANGES TO BE MADE TO THIS REFERENCE?
<ANSWER YES OR NO>: _

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EXHIBIT B

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DOCKET NUMBER: MR3269-57

TITLE: GRANULATED FERTILISER COMPOSED OF MICRONUTRIENTS AND CLAY

PATENT DOCUMENT TYPE: UTILITY PATENT APPLICATION

SERIAL NUMBER: 10/530222

FILING DATE: 4 / 4 / 2005

1. FIRST PATENT OFFICE ACTION

ACTION TYPE: NOTICE OF MISSING PARTS/FILING DATE GRANTED

PATENT OFFICE ACTION MAILING DATE: 9 / 13 / 2005

PATENT OFFICE RESPONSE DUE DATE: 11 / 13 / 2005

RESPONSE TYPE: ANSWER TO FILE MISSING PARTS

PATENT OFFICE ACTION RESPONSE MADE DATE: 9 / 22 / 2005

2. SECOND PATENT OFFICE ACTION

ACTION TYPE: PATENT OFFICE ACTION

PATENT OFFICE ACTION MAILING DATE: 5 / 24 / 2006

PATENT OFFICE RESPONSE DUE DATE: 5 / 20 / 2006

RESPONSE TYPE: NOTHING INPUT TO COMPUTER

PATENT OFFICE ACTION RESPONSE MADE DATE: NONE

DO YOU WANT TO CHANGE/OR ADD DATES TO ONE OF THE ABOVE ACTIONS?

(ANSWER YES OR NO): _

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EXHIBIT C